

Vlad. Brik → Patent Examiner

#18/BM
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3-pages

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 U.S. DEPARTMENT OF COMMERCE
 PATENT AND TRADE MARK OFFICE
 Washington, DC 20231

Date: Sep. 17, 2002
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SUBJECT: Patent Application 09/685,204 10/10/200 - CIP of 09/268,634 03/16/1999 Title:
 "Multifunctional Apparatus and Method to Manufacture Mineral/Basalt Fiber".

In response your letter dated 9-9-02 (paper 9) and previous Action Summary made 08-01-02 (paper 6) I elect invention I: The multifunctional apparatus. Accordingly the claims relating two-chamber bushing (claims 9-10, 13-14, 16-27, 29-32) and Method (claims 38-40) are corrected - now adapted to the multifunctional apparatus. The correction relating bushing and method to elected "The multifunctional apparatus" in claims (9-10, 13-14, 16-27, 29-32 and 38 40) are marked by red color.

The only claims from 1 through 40 (including with corrections) are appended.

Vladimir B. Brik - author

✓ Brik 09-17-02

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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9

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

The reply filed on 22 August 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant did not elect (choose) among Invention 1, Invention 2 and Invention 3. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

It is noted that out of the many pages that were submitted to the Patent Office, there was no indication which of the inventions Applicant elects (chooses). The Patent Office Examiner will essentially ignore all other papers - unless Applicant states that he elects (chooses) to prosecute one of the three inventions. When Applicant indicates which invention is chosen, then the Patent Office Examiner will consider all of the other pages. However, after briefly looking at the pages, it is noted that Applicant is looking at the TITLE of the inventions which start out "Method and Apparatus ..."; this is completely irrelevant because the Requirement is based on the CLAIMS and not on the TITLE.

If Applicant fails to elect (choose) one of the three inventions (or chooses more than one), then such may result in the abandonment of the application and the requirement to pay more fees.

The only thing that is required is to submit a paper which says; "I elect invention 1", or "I elect invention 2" or "I elect invention 3".

[Signature] 9-4-02
John Hoffmann
Primary Examiner
Art Unit: 1731